

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Prisons Department - NHRC Case No. 334/1/22/09-10-JCD - Death of Remand Prisoner No.146, Seera Ramakrishna S/o Pydithalli on 06-08-2009 at Government Community Health Centre, Bobbili – National Human Rights Commission recommended to pay an sum of Rs.3,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

HOME (PRISONS-HRC) DEPARTMENT

G.O.RT.NO. 1519

DATED:08-07-2013

Read the following:

- 1.From Assistant Registrar (Law), NHRC, Letter No. 334/1/22/09-10-JCD, dated 26-03-2012.
- 2.From Director General of Prisons & Correctional Services, A.P., Hyderabad, Letter No.Jud-3/1013/2009, dated 05-05-2012.
- 3.Government Letter No.9098/Pri.HRC/2012-3, dated 08-05-2012.
- 4.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter No. 334/1/22/09-10-JCD, dated 29/31-05-2013.

ORDER:

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18 (a) (i) of Protection of Human Rights Act, 1993 to the Government calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the Remand Prisoner No. 146, Seera Ramakrishna.

2. In the reference second read above, the Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice to the Government. Accordingly, the Government vide letter third read above furnished a copy of the detailed report to the National Human Rights Commission for placing the same before the Hon'ble Commission.

3. In the reference fourth read above, the Assistant Registrar (Law), National Human Rights Commission, New Delhi has stated that the Hon'ble Commission has considered the reply and concluded that it is worth mentioning that the Undertrial Prisoner, Seera Rama Krishna died due to consumption of Organo Phosphorous poison in judicial custody. Since the prisoner died in judicial custody it shall be presumed that the State of Andhra Pradesh has failed to protect the life of remand prisoner in custody which is a clear case of violation of human rights. Thus the National Human Rights Commission recommends that a sum of Rs.3.00 lakhs (Rupees Three lakhs only) be paid to the next kin of the deceased prisoner, Seera Rama Krishna and the Government was directed to send compliance report along with proof of payment made to the next kin of the deceased within six weeks i.e., by 17-07-2013 for placing the same before the Hon'ble Commission.

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4. The Government after careful examination, hereby accord sanction for an amount of Rs.3,00,000/- (Rupees three lakh only) towards payment of compensation to the legal heirs of the deceased Remand Prisoner No.146, Seera Ramakrishna who died on 06-08-2009 as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (4) above shall be met from provision available under the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan)".

6. The Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 4 above and to place at the disposal of the Collector & District Magistrate, Vizianagaram for making payment to the legal heir of the Remand Prisoner No.146, Seera Ramakrishna and submit the proof of payment to the Government within 15 days from the date of receipt of the G.O.

7. The Director General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

8. This order issues with the concurrence of Finance (Exp.Home) Department, vide their UO No.16280/282/Exp.Home-II/2013, dated:06-07-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRABHAKAR D.THOMAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director General of Prisons and Correctional Services, A.P.,
Hyderabad.

The Collector & District Magistrate, Vizianagaram.

The Joint Registrar (Law), National Human Rights Commission,
Faridkot House, Copernicus Marg, New Delhi.

The Accountant General, (A&E), A.P., Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

Copy to:

The General Administration (HRC) Department.

The Finance (Exp.Home) Department.

The Finance (BG) Department.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER